

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

SCOTT TINSLEY, #00241-032

PETITIONER

V.

CIVIL ACTION NO. 3:21-CV-64-HTW-LGI

WARDEN SHANNON WITHERS

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before this Court pursuant to the Report and Recommendation of United States Magistrate Judge Lakey. Said document was filed on August 14, 2020. [**Docket no. 26**]. On July 20, 2021, Pro Se Petitioner Scott Tinsley (“Petitioner”) filed his objections to the Report and Recommendation. [**Docket no. 27**]. Respondent Warden Shannon Withers, on July 27, 2021, filed a response to Petitioner’s objections. [**Docket no. 28**].

Based upon the evidence therein contained, this Court finds the Report and Recommendation well-taken; therefore, the Report and Recommendation of the United States Magistrate Judge [**Docket no. 26**] is hereby **ADOPTED** as the order of this Court.

This Court hereby **DISMISSES WITHOUT PREJUDICE** Petitioner’s “Motion for Emergency Injunction and Compassionate Release” [**Docket no. 4**] for lack of subject matter jurisdiction and failure to exhaust administrative remedies. This court further dismisses Petitioner’s “Renewed” Motion for Default Judgment [**Docket no. 22**] because the Respondent timely filed its response in opposition to Petitioner’s writ of habeas corpus and Motion for relief [**Docket no. 17**].

SO ORDERED AND ADJUDGED this the 2nd day of August, 2021.

/s/HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE